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CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY: _____	DEPUTY

1 Joseph Eugene Pivo
 2 1853 Indian Bend Drive
 3 Henderson, Nevada 89074
 4 702-897-2602
 5 viceroyuncci@gmail.com

6

7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF NEVADA**

9

10 U.S. BANK NA, SUCCESSOR TRUSTEE TO)
 11 BANK OF AMERICA, NA, SUCCESSOR IN)
 12 INTEREST TO LASALLE BANK, NA, ON)
 13 BEHALF OF THE REGISTERED HOLDERS)
 14 OF BEAR STEARNS ASSET BACKED)
 15 SECURITIES I LLC, ASSET-BACKED)
 16 CERTIFICATES, SERIES 2006-HE8, its)
 successors and/or assigns,)
 Plaintiffs,)
 vs.)
 ANTONIETA TOVAR-GUZMAN, ROBERT J.)
 STONE SR., and DOE OCCUPANTS 1)
 through X, inclusive)
 Defendants.)

State Case. No. 15CH003295

Case No. 2:16-cv-00445-MMD-CWH

ANSWER TO VERIFIED
 COMPLAINT FOR UNLAWFUL
 DETAINER

17

18 Comes Joseph Eugene Pivo (hereinafter "Pivo") intentionally misnamed here as DOE
 19 OCCUPANT in the instant Unlawful Detainer complaint in Henderson Justice Court and answers
 20 as follows:

21 1. Denied. Pivo is the lawful Title holder to the real property commonly known as 1853
 22 Indian Bend Drive, Henderson, Nevada and pursuant to Title under GRANT BARGAIN AND
 23 DEED recorded on November 14, 2005 in the records of the Clark County Recorder's Office
 24 under instrument, under Instrument No. 20051114-0005356, referencing APN 178-17-811-009
 25 conveying the property to Vice Roy Blind Trust of which Pivo is sole Beneficiary and Grantor.
 26 It is specifically denied that U.S. Bank entitled to possession of and is the lawful owner of the
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1 property. U.S. Bank is a Joint Interest Principals Civil Rights Conspiracy Coconspirators herein,
2 did voluntarily, knowingly, wrongfully, intentionally and inherently wrongfully willfully
3 combine, conspire, and agree with others known and unknown to Piovo, to commit fraud, that is,
4 to devise a scheme, by concert of action of two or more Joint Interest Principals Coconspirators
5 did voluntarily, knowingly, wrongfully, intentionally and inherently wrongfully willfully
6 combine, conspire, and agree with others known and unknown to Piovo, to deprive Piovo's
7 Property Rights of Citizens, and then subsequent to, with a complete blatant to Piovo egregiously
8 placed Piovo against his will in harm's way by way of theft whereas the Anti Civil Rights Joint
9 Interest Principals Coconspirators the known and unknown defendants stealing of Piovo's
10 property identified as Assessor's Parcel Number 178-17-911-009.

12 2. Denied. Coconspirators U.S. Bank and its counsel Rebecca P. Kern intentionally commit
13 fraud and commit perjury making written statements under oath and commit fraud upon the
14 court in pleading fraudulent jurisdictional facts that Tovar-Guzman is not local defendant and as
15 she states under oath "at all times herein mentioned [is] resident[s] of the County of Clark, State
16 of Nevada", where in fact Rebecca P. Kern and U.S. Bank know that Tovar-Guzman is a resident
17 of the state of California and has never seen Piovo's property and doesn't know where it is. U.S.
18 Bank and its counsel Rebecca P. Kern also commit fraud and commit perjury making statements
19 under oath and fraud upon the court in pleading fraudulent jurisdictional facts that there is such
20 defendant Robert J. Stone, Sr. who is "and at all times herein mentioned [is] resident[s] of the
21 County of Clark, State of Nevada", knowing full well that Robert J. Stone, Sr. is a fictitiously
22 named defendant at all times herein never been resident of Clark County, State of Nevada never
23 been in possession of the property where in fact U.S. Bank and Rebecca P. Kern know that
24 defendant ROBERT STONE is convicted felon and is serving time of probation and who is now a
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1 resident of the state of Utah and prior to that was resident of California and was directly
2 participating with others and U.S. Bank in theft of Pivo's property. On November 19, 2015,
3 Rebecca P. Kern knowing full well that her statements are false and perjurious nevertheless to
4 make her complaint for unlawful detainer appear legitimate states "I declare under penalty of
5 perjury under the laws of the State of Nevada that the foregoing is true and correct" (Compl. P. 4)
6

7 3. Denied. Coconspirators U.S. Bank and its counsel Rebecca P. Kern intentionally commit
8 fraud and commit perjury by making written statements under oath and commit fraud upon the
9 court in pleading fraudulent jurisdictional facts claiming that "The true names and capacities of
10 Defendant(s) and/or other additional occupants named herein as DOE OCCUPANTS I through X
11 are unknown to Plaintiff", whereas Coconspirators U.S. Bank and its counsel Rebecca P. Kern
12 know full well Pivo's identity. Yet when on February 8, 2016, Pivo filed his affidavit in
13 Henderson Justice court advising the court, U.S. Bank and Rebecca P. Kern of his existence and
14 the fact that he was never served with the summons and complaint U.S. Bank and Rebecca P.
15 Kern continue to prosecute the unlawful detainer complaint as such filing never occur, contrary to
16 Rebecca P. Kern statements in paragraph three of the complaint that she "will amend this
17 Complaint to show their true names and capacities when they have been ascertained." (Compl. ¶
18 3) In addition, when on February 25, 2016, Pivo filed his motion to vacate the order for
19 Temporary Writ of Possession and add him as indispensable party Kern and U.S. Bank once again
20 failed to act to correct the wrong, and failed to withdraw the fraudulent complaint.

21 4. Denied. U.S. Bank never purchased Pivo's property on December 12, 2013. The alleged
22 Trustee's Deed Upon Sale dated January 10, 2014 is fraud upon the court as described fully in the
23 attached counterclaim, cross-claim and third party complaint.

24 5. Denied. U.S. Bank and its counsel Rebecca P. Kern intentionally commit fraud and
25

1 commit perjury by making written statements under oath and commit fraud upon the court in
2 pleading fraudulent jurisdictional facts claiming that "At the time of the sale, Defendant(s) were
3 in possession of the Property and remain in possession after the sale." (Compl. ¶ 5) U.S. Bank and
4 Rebecca P. Kern know that a defendant ROBERT STONE is a resident of the state of Utah and
5 prior to that was resident of California and was directly participating with others and U.S. Bank in
6 theft of Pivo's property and at the time of the alleged fraudulent sale did not have nor remains in
7 possession of Pivo's property. U.S. Bank and Rebecca P. Kern know that defendant Tovar-
8 Guzman is a resident of the state of California and was directly participating with others and U.S.
9 Bank in theft of Pivo's property and at the time of the alleged fraudulent sale never were in
10 possession and does not remain in possession of Pivo's property.

12
13 6. Denied. U.S. Bank and its counsel Rebecca P. Kern intentionally commit fraud and
14 commit perjury by making written statements under oath and commit fraud upon the court in
15 pleading fraudulent jurisdictional facts claiming that "On or about November 14, 2015, Plaintiff
16 (i.e. U.S. Bank) caused a 3-Day Notice to Quit ("Notice") to be served on Defendants, Antonieta
17 Tovar-Guzman, Robert J. Stone Sr., and/or any other additional occupants." (Compl. ¶ 6) U.S.
18 Bank and Rebecca P. Kern know that a defendant Robert J. Stone Sr., is a fictitious made up
19 name and could not possibly receive the alleged service of 3-Day Notice to Quit. However, even
20 if the service of the alleged 3-Day Notice to Quit to ROBERT STONE that person as well could
21 not possibly be served with the 3-Day Notice to Quit as he is a resident of the state of Utah and
22 was never near the state of Nevada or in the state of Nevada as the alleged Notice is addressed to
23 ROBERT J. STONE SR. AT Pivo's property address 1853 Indian Bend Drive, Henderson,
24 Nevada.

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26 U.S. Bank and Rebecca P. Kern also know that a defendant Tovar-Guzman could not
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1 possibly receive the alleged service of the alleged 3-Day Notice to Quit for the same reason as she
2 is a resident of California residing at 1211 S. Merrill, Corona, California 92882. Pivo was never
3 served with the alleged 3-Day Notice to Quit. U.S. Bank and its counsel Rebecca P. Kern
4 intentionally commit fraud and commit perjury by making written statements under oath and
5 commit fraud upon the court.

6 7. Denied. U.S. Bank and its counsel Rebecca P. Kern intentionally commit fraud and
7 commit perjury by making written statements under oath and commit fraud upon the court in
8 pleading fraudulent jurisdictional facts claiming that "The period to vacate the Property for
9 Defendant(s) and/or other additional occupants expired on or about November 18, 2015."
10 (Compl. ¶ 7) It also specifically denied that U.S. Bank is entitled to immediate possession of
11 Pivo's Property.

12 8. Denied. U.S. Bank and its counsel Rebecca P. Kern intentionally commit fraud and
13 commit perjury by making written statements under oath and commit fraud upon the court in
14 pleading fraudulent jurisdictional facts claiming that "Defendant(s) and/or any other additional
15 occupants have failed and refused to deliver up possession" of the property. U.S. Bank is not
16 entitled to possession of Pivo's Property.

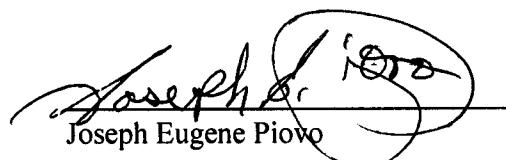
17 9. Denied. U.S. Bank and its counsel Rebecca P. Kern intentionally commit fraud and
18 commit perjury by making written statements under oath and commit fraud upon the court in
19 pleading fraudulent jurisdictional facts claiming that "The withholding of possession of the
20 Property by Defendant(s) and/or any other additional occupants from Plaintiff has been willful,
21 deliberate, intentional and obstinate and done by Defendant(s) and/or any other additional
22 occupants...". (Compl. ¶ 8) U. S. Bank is not entitled to possession of Pivo's Property as U.S.
23 Bank conspired to deprive Pivo of his Civil Rights through conspiracy which resulted in theft of
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1 Plaintiff's APN in violation of Plaintiff's Civil Rights.
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3 10. Denied. Pivo is not a tenant and is not required to pay rent to the coconspirator and thief
4 U.S. Bank.
5

6 Wherefore, Pivo moves the court that the fraudulent demands made by U.S. Bank and its
7 coconspirator Rebecca P. Kern are denied in their entirety.
8

9 Dated: March 8, 2016
10



11 Joseph Eugene Pivo
12 1853 Indian Bend Drive
13 Henderson, Nevada 89074
14 702-897-2602
15 viceroyuncci@gmail.com

16 **CERTIFICATE OF SERVICE**
17

18 I hereby certify that on the 8th day of March, 2016, I have caused to be mailed via Regular Mail
19 by United States Postal Service the foregoing Counterclaim, Cross and Third Party Complaint and
20 an Answer to the Unlawful Detainer complaint to the following participants at the address listed
21 below:
22

23
24 Rebecca P. Kern
25 Aldridge Pite, LLP
26 520 S. Fourth Street, Suite 360
27 Las Vegas, NV 89101
28

Dated: March 8, 2016



Joseph Eugene Pivo
1853 Indian Bend Drive
Henderson, Nevada 89074
702-897-2602
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